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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,439	12/14/2001	Jeffrey A. Horan	2442/131	6314

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EXAMINER

ALI, MOHAMMAD

ART UNIT PAPER NUMBER

2177

DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/017,439

Applicant(s)

HORAN ET AL.

Examiner

Mohammad Ali

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The application has been examined. Claims 1-6 are pending in this Office Action.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The abstract of the disclosure is objected to because the abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Appropriate correction is required. See MPEP § 608.01(b).

Trademarks

The use of the trademark FORTRAN™, HTML™, etc in page 6, lines 17-18 and elsewhere has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Information Disclosure Statement

3. Reference is made to the Applicant's disclosure, Page 1, lines 10-25.

The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Claim Objections

4. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claim 5 been renumbered as 5 and 7 because claim 5 contains repeated limitations:

Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menzies et al. ('Menzies' hereinafter), US Patent 6,317,748 in view of Chu et al. ('Chu' hereinafter), US PG Pub 2002/0123966.

With respect to claim 1,

Menzies discloses a method for accessing (see col. 6, lines 31-33, Fig. 4) management information using SNMP-formats, the information stored in CIM formats (see col. 7, lines 29-31), the method comprising:

receiving a request message from an SNMP client (see col. 39-40 et seq);
mapping (see col. 11, lines 28-32) the request message into CIM formats (see col. 7, lines 29-31 et seq); and

performing at least one of retrieving and setting a CIM object value (see col. 7, lines 22-28, Fig. 2).

Menzies does not explicitly indicate the claimed step of "message".

Chu discloses the claimed step of message (the transmission of a message from client to server in the system is secure, since only an authorized client can access the message queue, see paragraph 0035, Page 4).

It would have been obvious to one ordinary skill in the data processing art, at the time of the invention to combine the teachings of the cited references, because message of Chu's teachings would have allowed Menzies system to analyze data with the management tool over the online in the data warehouse as suggested by Chu, see paragraph 0011, Pg. 1, Chu. Message as taught by Chu improves to collect data from various system built in providers (see paragraph 0007, Page 1, Chu).

As to claim 2,

Menzies teaches encoding CIM property values into SNMP formats ((see col. 7, lines 29-31 et seq); and
returning an SNMP response message to the SNMP client (see col. 7, lines 12-21 et seq).

With respect to claim 3,

Menzies discloses a method for generating a mapping file from a MIB file, the MIB file including at least one SNMP variable (see col. 7, lines 16-32), the method comprising:

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reading at least one SNMP variable from the MIB file (see col. 2, lines 50-53 et seq); and

generating a mapping file entry for at least one of a group and a row sequence specified in the MIB file, the mapping file entry including an OID, a class name, a property name, a SNMP datatype and a next OID (see col. 2, lines 42-59 et seq).

Menzies does not explicitly indicate the claimed step of "message".

Chu discloses the claimed step of message (the transmission of a message from client to server in the system is secure, since only an authorized client can access the message queue, see paragraph 0035, Page 4).

It would have been obvious to one ordinary skill in the data processing art, at the time of the invention to combine the teachings of the cited references, because message of Chu's teachings would have allowed Menzies system to analyze data with the management tool over the online in the data warehouse as suggested by Chu, see paragraph 0011, Pg. 1, Chu. Message as taught by Chu improves to collect data from various system built in providers (see paragraph 0007, Page 1, Chu).

As to claim 4,

Menzies teaches wherein the mapping file entry further includes SNMP table indexes (see col. 7, lines 29-31 et seq).

With respect to claim 5,

Menzies discloses a computer program product for use on a computer system for accessing management information using SNMP-formats, the information stored in CIM formats (see col.11, lines 29-30 et seq), the computer program product comprising a

computer usable medium having computer readable program code thereon (see col. 18, lines 24-27 et seq), the computer readable program code including program code for:

receiving a request message from an SNMP client (see col. 17, lines 39-40 and col. 7, lines 13-15 et seq);

mapping the request message into CIM formats (see col. 11, lines 29-32); and
performing at least one of retrieving and setting a CIM object value (see col. 7, lines 26-28).

Menzies does not explicitly indicate the claimed step of "message".

Chu discloses the claimed step of message (the transmission of a message from client to server in the system is secure, since only an authorized client can access the message queue, see paragraph 0035, Page 4).

It would have been obvious to one ordinary skill in the data processing art, at the time of the invention to combine the teachings of the cited references, because message of Chu's teachings would have allowed Menzies system to analyze data with the management tool over the online in the data warehouse as suggested by Chu, see paragraph 0011, Pg. 1, Chu. Message as taught by Chu improves to collect data from various system built in providers (see paragraph 0007, Page 1, Chu).

A computer program product for generating a mapping file from a MIB file (see col. 11, lines 29-30 et seq), the MIB file including at least one SNMP variable, the computer program product comprising a computer usable medium having computer readable program code thereon, the computer readable program code (see col. 18, lines 24-27 et seq) including program code for:

reading at least one SNMP variable from the MIB file (see col. 2, lines 40-46 et seq); and

generating a mapping file entry for at least one of a group and a row sequence specified in the MIB file, the mapping file entry including an OID, a class name, a property name, a SNMP datatype and a next OID (see col. 2, lines 51-59 et seq).

With respect to claim 6,

Menzies discloses a computer system for accessing (see col. 13, lines 24-31) management information using SNMP-formats, the information stored in CIM formats (see col. 7, lines 29-32), the computer system comprising:

a buffer for receiving a request message (see col. 17, lines 39-40);
logic (see col. 7, lines 22-24) that receives a request (see col. 17, lines 39-40, Fig. 11).

Menzies does not explicitly indicate the claimed step of "message".

Chu discloses the claimed step of message (the transmission of a message from client to server in the system is secure, since only an authorized client can access the message queue, see paragraph 0035, Page 4).

It would have been obvious to one ordinary skill in the data processing art, at the time of the invention to combine the teachings of the cited references, because message of Chu's teachings would have allowed Menzies system to analyze data with the management tool over the online in the data warehouse as suggested by Chu, see paragraph 0011, Pg. 1, Chu. Message as taught by Chu improves to collect data from various system built in providers (see paragraph 0007, Page 1, Chu).

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (703) 605-4356. The examiner can normally be reached on Monday to Thursday from 7:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790 or Customer Service (703) 306-5631. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for any communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.



Mohammad Ali

Patent Examiner

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MA

March 18, 2004